REMARKS

Claims 1-13 are pending in this application.

The Office action rejects claims 1-11 and 13 under 35 U.S.C. 102(e) over Ferber et al. (USPA 2002/0004746, hereinafter Ferber). The applicant respectfully traverses this rejection.

MPEP 2131 specifically states:

> "A claim is anticipated only if ***each and every element*** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The ***identical invention*** must be shown in as ***complete detail*** as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 1, upon which claims 2-11 depend, claims a method of providing access to information content, that includes enabling a transfer, at a transit terminal, of the information content from a repository to a mobile storage medium, and providing use of the information content from the storage medium in a communication-restricted environment.

Ferber teaches gaining access to discount "e-coupons" via a wireless network, and the subsequent redemption of such coupons. Ferber does not teach providing a transfer of information content at a transit terminal, as specifically claimed, and Ferber does not teach providing use of the information content in a communication-restricted environment, as also specifically claimed.

The applicant specifically defines a transit terminal at page 4, lines 17-19:

> "A "transit terminal", as used herein, indicates a travel departing or arrival point, such as an airport, a train station or a bus stop."

Ferber does not reference terminals at airports, train stations, or bus stops, and does not teach providing the transfer of information content at such transit terminals.

The applicant specifically defines a communication-restricted environment in claim 1 as:

> "[an] environment that blocks public access to an information content that would otherwise be available except for the communication-restricted environment"

Ferber does not teach a communication-restricted environment, as defined by the applicant, and does not teach providing use of the information content in such a communication-restricted environment.

Because Ferber fails to teach each of the elements of the applicant's claimed invention, the applicant respectfully maintains that the rejection of claims 1-11 under 35 U.S.C. 102(e) over Ferber is unfounded, per MPEP 2131.

Claim 13 is dependent upon claim 12, and therefore includes each of the elements of claim 12. The Office action acknowledges that Ferber does not teach each of elements of claim 12 (Office action, page 5, last 2 lines through page 6, line 2), and thus the applicant respectfully maintains that the rejection of claim 13 under 35 U.S.C. 102(e) over Ferber is unfounded, per MPEP 2131.

The Office action rejects claims 6 and 12 under 35 U.S.C. 103(a) over Ferber and Sporgis et al. (USP 6,320,495, hereinafter Sporgis). The applicant respectfully traverses this rejection.

MPEP 2142 specifically states:

> "To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***." Further: "The examiner bears the initial burden of factually ***supporting*** any *prima facie* ***conclusion*** of obviousness. If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness."

Claim 6 is dependent upon claim 1. As noted above, Ferber fails to teach the elements of claim 1, and Sporgis does not overcome this deficiency. Because neither Ferber nor Sporgis, individually or collectively, teach or suggest all the claim limitations of claim 1, upon which claim 6 depends, the applicant respectfully maintains that the rejection of claim 6 under 35 U.S.C. 103(a) over Ferber and Sporgis is unfounded, per MPEP 2142.

Claim 12 claims a method of providing access to an information content, the method comprising: at the transit terminal, enabling transfer of the information content to a mobile storage medium; assigning a traveling location to an individual in a means of transportation, the means of transportation including the mobile storage medium; and, providing at the assigned traveling location an apparatus to enable the individual to access the information content in a communication-restricted environment.

As noted above, Ferber does not teach transferring information content at a transit terminal, and Ferber does not teach enabling access to the information content in a communication-restricted environment.

The Office action acknowledges that Ferber does not teach assigning a traveling location to an individual in a means of transportation, and relies upon Sporgis for this teaching. The applicant respectfully disagrees with this characterization of Sporgis.

Sporgis teaches a "Treasure Hunt" game using GPS equipped wireless devices. Sporgis is silent with regard to assigning a location in a means of transportation to an individual. The Office action cites Sporgis column 2, lines 1-35 for this teaching. The cited text follows:

> "In the present invention, each participant is equipped with a wireless communication device, such as a mobile web-enable cellular telephone, that also incorporates a GPS receiver, and a treasure hunt-type game is played. Participants are given clues directing them along a pre-determined route toward the treasure through the wireless communication device. Players must solve the clues in order to proceed along the pre-determined route and eventually to the treasure. A software program determines the clue to display to each game participant based on certain variables, including the present position of the participant. Each player's position along the treasure hunt route is calculated by the GPS receiver and transmitted to the software program by the wireless communication device. Other variables, such as the number of clues or messages that have been correctly interpreted and the position of other players may also be factored into the determination of which clue to display to the participants. The participants follow the clues along the route to the treasure. The first player to arrive at the treasure wins.
>
> The game can be played on a small scale where participants utilize hand-held GPS-enabled communication devices to seek a treasure on foot, or on larger scales where the devices are mounted on automobiles or other means of transportation. The game can be designed to be played in a multitude of geographic treasure hunt territories. The use of a web enabled wireless communications device allows the internet and world wide web to be used as the

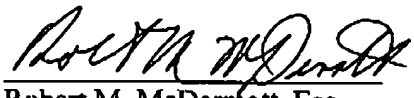
> medium to transmit clues to players and receive their positions. It also allows players to utilize the resources of the web to solve clues and provides a means for nonparticipants in the game to follow along. The web is also ideal for providing advertising space to game sponsors and others."

As can be seen in the cited text, although Sporgis teaches that a GPS-enabled communication device can be mounted on automobiles or other means of transportation, Sporgis does not teach assigning a traveling location to an individual in a means of transportation, as specifically claimed in claim 12.

Because neither Ferber nor Sporgis, individually or collectively, teach or suggest all the claim limitations of claim 12, the applicant respectfully maintains that the rejection of claim 12 under 35 U.S.C. 103(a) over Ferber and Sporgis is unfounded, per MPEP 2142.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the rejections of record, allow all the pending claims, and find the present application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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